

असाभारण EXTRAORDINARY

भाग II—खण्ड 1 PART II—Section 1

प्राधिकार से प्रकाशित PUBLISHED BY AUTHORITY

न**ई वि**श्ली, गुक्रवार, मई 27, 1988/ज्ये⁽ठ 6, 1910) (शक)

No. 351

NEW DELHI, FRIDAY, MAY 27, 1988/JYAISTHA 6, 1910 (SAKA)

इस भाग में भिन्न पृष्ठ संस्था वी जाती है जिससे कि यह अनग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compliation

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 27th May, 1988 Jyaistha 6, 1910 (Saka)

THE ARMS (AMENDMENT) ORDINANCE, 1988

No. 5 of 1988

Promulgated by the President in the Thirty-ninth Year of the Republic of India.

An Ordinance further to amend the arms Act, 1959.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

- 1. (1) This Ordinance may be called the Arms (Amendment) Ordinance, 1988.
 - (2) It shall come into force at once.

Short title and commencement, Amendment of section 2.

- 2. In section 2 of the Arms Act, 1959 (hereinafter referred to as the 54 of 1959, principal Act), in sub-section (1),—
 - (i) in clause (b), in sub-clause (i), for the words "and other like missiles", the words "and other missiles" shall be substituted;
 - (ii) in clause (h), after the word "shells,", the word "missiles," shall be inserted.

Amendment of section 3. In sub-section (1) of section 5 of the principal Act, in clause (a), for the word "manufacture", the words "use, manufacture" shall be substituted.

Amendment of section 7. 4. In section 7 of the principal Act, in clause (b), for the word "manufacture", the words "use, manufacture" shall be substituted.

Amendment of section 25.

- 5. In section 25 of the principal Act,-
 - (a) in sub-section (1), clause (c) shall be omitted;
- (b) sub-section (1A) shall be re-numbered as sub-section (1AAA) thereof, and before sub-section (1AAA) as so re-numbered, the following sub-sections shall be inserted, namely:—
 - "(1A) Whoever acquires, has in his possession or carries any prohibited arms or prohibited ammunition in contravention of section 7 shall be punishable with imprisonment for a term which shall not be less than five years, but which may extend to ten years and shall also be liable to fine.
 - (1AA) Whoever manufactures, sells, transfers, converts, repairs, tests or proves, or exposes or offers for sale or transfer or has in his possession for sale, transfer, conversion, repair, test or proof, any prohibited arms or prohibited ammunition in contravention of section 7 shall be punishable with imprisonment for a term which shall not be less than seven years but which may extend to imprisonment for life and shall also be liable to fine.".

Substitution of new section for section 27. 6. For section 27 of the principal Act, the following section shall be substituted, namely:—

Punishment for using arms, etc.

- "27. (1) Whoever uses any arms or ammunition in contravention of section 5 shall be punishable with imprisonment for a term which shall not be less than three years but which may extend to seven years and shall also be liable to fine.
- (2) Whoever uses any prohibited arms or prohibited ammunition in contravention of section 7 shall be punishable with imprisonment for a term which shall not be less than seven years but which may extend to imprisonment for life and shall also be liable to fine.

(3) Whoever uses any prohibited arms or prohibited ammunition or does any act in contravention of section 7 and such use or act results in the death of any other person, shall be punishable with death.".

R. VENKATARAMAN,

President.

S. RAMAIAH, Secy. to the Govt. of India.